

Senate Bill 122

In The Senate

January 14, 1981	Introduced and referred to Committee on Taxation.
February 2, 1981	Committee recommend bill do pass as amended.
February 3, 1981	Bill printed and placed on members' desks.
February 4, 1981	Second reading do pass. Second reading segregated.
February 5, 1981	On motion taken from second reading and referred to Committee on Education. Motion adopted.
February 19, 1981	Committee recommend bill do not pass.

1 Senate BILL NO. 122  
 2 INTRODUCED BY Hag-  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH THE TIME  
 5 FOR CONDUCTING A SCHOOL DISTRICT ELECTION FOR THE  
 6 AUTHORIZATION TO IMPOSE AN ADDITIONAL LEVY FOR THE GENERAL  
 7 FUND BUDGET; AMENDING SECTION 20-9-353, MCA."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 20-9-353, MCA, is amended to read:

11 "20-9-353. Additional levy for general fund --  
 12 election for authorization to impose. (1) The trustees of  
 13 any district may propose to adopt a general fund budget in  
 14 excess of the general fund budget amount for such district  
 15 as established by the schedules in 20-9-315 through 20-9-321  
 16 for any of the following purposes:

- 17 (a) building, altering, repairing, or enlarging any
- 18 schoolhouse of the district;
- 19 (b) furnishing additional school facilities for the
- 20 district;
- 21 (c) acquisition of land for the district;
- 22 (d) proper maintenance and operation of the school
- 23 programs of the district.

24 (2) However, when the trustees adopt a total general  
 25 fund budget which exceeds 110% of the general fund budget

1 for the preceding year, they shall file a notice of this  
 2 increase with the superintendent of public instruction,  
 3 setting forth the specific reasons for increasing the  
 4 budget.

5 (3) When the trustees of any district determine that  
 6 an additional amount of financing is required for the  
 7 general fund budget that is in excess of the statutory  
 8 schedule amount, the trustees shall submit the proposition  
 9 of an additional levy to raise such excess amount of general  
 10 fund financing to the electors who are qualified under  
 11 20-20-301 to vote upon such proposition except that no  
 12 election shall be required to permit the school trustees to  
 13 use federal funds received under Title I of Public Law  
 14 81-874 to increase the school district's general fund budget  
 15 as established in 20-9-316 through 20-9-321 by the amount of  
 16 these funds. Such special election shall be called and  
 17 conducted in the manner prescribed by this title for school  
 18 elections. The ballot for such election shall state the  
 19 amount of money to be raised by additional property  
 20 taxation, the approximate number of mills required to raise  
 21 such money, and the purpose for which such money will be  
 22 expended, and it shall be in the following format:

23 \*PROPOSITION

24 Shall a levy be made in addition to the levies  
 25 authorized by law in such number of mills as may be

1 necessary to raise the sum of (state the amount to be raised  
2 by additional tax levy), and being approximately (give  
3 number) mills, for the purpose of (insert the purpose for  
4 which the additional tax levy is made)?

5  FOR the additional levy.

6  AGAINST the additional levy."

7 (4) If the election on any additional levy for the  
8 general fund is approved by a majority vote of those  
9 electors voting at such election, the proposition shall  
10 carry and the trustees may use any portion or all of the  
11 authorized amount in adopting the preliminary general fund  
12 budget. The trustees shall certify the additional levy  
13 amount authorized by such a special election on the budget  
14 form that is submitted to the county superintendent, and the  
15 county commissioners shall levy such number of mills on the  
16 taxable value of all taxable property within the district,  
17 as prescribed in 20-9-141, as are required to raise the  
18 amount of such additional levy.

19 (5) Authorization to levy an additional tax under the  
20 provisions of this section shall be effective for only 1  
21 school fiscal year and shall be authorized ~~by--\* at the~~  
22 annual school election as provided in 20-3-304, except that  
23 if a levy fails to be authorized, a special election may be  
24 held for this purpose after notice is given as provided in  
25 20-20-204. Such a special election must be conducted before

1 August 1 of the school fiscal year for which it is  
2 effective. Only one such additional levy for the maintenance  
3 and operation of the school programs of a high school  
4 district may be imposed by a high school district in a given  
5 school fiscal year."

-End-

Approved by Committee  
on Taxation

SENATE BILL NO. 122  
INTRODUCED BY HAGER

A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH THE TIME FOR CONDUCTING A SCHOOL DISTRICT ELECTION FOR THE AUTHORIZATION TO IMPOSE AN ADDITIONAL LEVY FOR THE GENERAL FUND BUDGET; AMENDING SECTION 20-9-353, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 20-9-353, MCA, is amended to read:

"20-9-353. Additional levy for general fund -- election for authorization to impose. (1) The trustees of any district may propose to adopt a general fund budget in excess of the general fund budget amount for such district as established by the schedules in 20-9-316 through 20-9-321 for any of the following purposes:

- (a) Building, altering, repairing, or enlarging any schoolhouse of the district;
- (b) furnishing additional school facilities for the district;
- (c) acquisition of land for the district;
- (d) proper maintenance and operation of the school programs of the district.

(2) However, when the trustees adopt a total general fund budget which exceeds 110% of the general fund budget

for the preceding year, they shall file a notice of this increase with the superintendent of public instruction, setting forth the specific reasons for increasing the budget.

(3) When the trustees of any district determine that an additional amount of financing is required for the general fund budget that is in excess of the statutory schedule amount, the trustees shall submit the proposition of an additional levy to raise such excess amount of general fund financing to the electors who are qualified under 20-20-301 to vote upon such proposition except that no election shall be required to permit the school trustees to use federal funds received under Title I of Public Law 61-874 to increase the school district's general fund budget as established in 20-9-316 through 20-9-321 by the amount of these funds. Such special election shall be called and conducted in the manner prescribed by this title for school elections. The ballot for such election shall state the amount of money to be raised by additional property taxation, the approximate number of mills required to raise such money, and the purpose for which such money will be expended, and it shall be in the following format:

"PROPOSITION

Shall a levy be made in addition to the levies authorized by law in such number of mills as may be

1 necessary to raise the sum of (state the amount to be raised  
 2 by additional tax levy), and being approximately (give  
 3 number) mills, for the purpose of (insert the purpose for  
 4 which the additional tax levy is made)?

5 FOR the additional levy.

6 AGAINST the additional levy."

7 (4) If the election on any additional levy for the  
 8 general fund is approved by a majority vote of those  
 9 electors voting at such election, the proposition shall  
 10 carry and the trustees may use any portion or all of the  
 11 authorized amount in adopting the preliminary general fund  
 12 budget. The trustees shall certify the additional levy  
 13 amount authorized by such a special election on the budget  
 14 form that is submitted to the county superintendent, and the  
 15 county commissioners shall levy such number of mills on the  
 16 taxable value of all taxable property within the district,  
 17 as prescribed in 20-9-141, as are required to raise the  
 18 amount of such additional levy.

19 (5) Authorization to levy an additional tax under the  
 20 provisions of this section shall be effective for only 1  
 21 school fiscal year and shall be authorized by--a at the  
 22 annual school election as provided in 20-3-304, except that  
 23 if a levy fails to be authorized, a special election  
 24 ELECTIONS may be held for this purpose after notice is given  
 25 as provided in 20-20-204. Such-a-special ANY SUCH election

1 must be conducted before August 1 of the school fiscal year  
 2 for which it is effective. Only one such additional levy for  
 3 the maintenance and operation of the school programs of a  
 4 high school district may be imposed by a high school  
 5 district in a given school fiscal year."

-End-